IN THE HIGH COURT OF JUDICATURE AT BOMBAY

Appellate Side

Writ Petition no 8507 of 2005

Ashray Coop HSC ..Petitioner

vs

The Asst Registrar CS and ors..Respondents

Mr.S.M. Kamble for petitioner
Mr.A.H.Palekar AGP for respondents

CORAM: S.U.KAMDAR J.

Dated 2l.l2.2005

P.C:

. Rule, returnable forthwith.

. Newly added respondents are served but none appears for them. Heard the learned AGP. The administrator is present in court.

. The impugned order is passed by the Registrar Coop Societies confirming appointment of the administrator. The only ground on which the administrator is appointed that the election of the society was not held within time. The society is a small housing society. However,in my opinion on such ground such a drastic order appointing administrator cannot be made. The impugned orders both dated 4.7.2005 and 4.l0.2005 are hereby quashed and set aside. The administrator is

directed to hand back charge of the society during the course of the today itself. The matter is sent back to the Registrar with a direction that the Registrar will conduct fresh election of the society under his supervision. It is made clear that if any other deficiencies are found in the functioning of the society then the Registrar will communicate the same to the society and the society will clear such deficiencies within l5 days from the date of such communication from the Registrar Coop Societies.

. Petition is made absolute accordingly with no order as to costs.